



Filed: 5/12/2005

09400SB0030ham001

LRB094 03559 RLC 45464 a

1 AMENDMENT TO SENATE BILL 30

2 AMENDMENT NO. _____. Amend Senate Bill 30 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Juvenile Court Act of 1987 is amended by
5 changing Section 3-33 as follows:

6 (705 ILCS 405/3-33) (from Ch. 37, par. 803-33)

7 Sec. 3-33. Truant Minor in Need of Supervision.

8 (a) Definition. A minor who is reported by a regional
9 superintendent of schools, or in cities of over 500,000
10 inhabitants, by the Office of Chronic Truant Adjudication, as a
11 chronic truant may be subject to a petition for adjudication as
12 shall be adjudged a truant minor in need of supervision,
13 provided that prior to the filing of the petition, a
14 comprehensive community based youth service agency shall
15 certify that the minor has been referred by the regional
16 superintendent or Office of Chronic Truant Adjudication to that
17 agency for truancy intervention services, and the regional
18 superintendent or Office of Chronic Truant Adjudication shall
19 certify that truancy intervention services have not resulted in
20 the cessation of chronic truancy after referral for truancy
21 intervention services. If the comprehensive community based
22 youth service agency is incapable or unwilling to provide the
23 certification, then this requirement of a certification is not
24 applicable. The comprehensive community based youth service

1 agency shall submit reports to the regional superintendent or
2 the Office of Chronic Truant Adjudication within 30, 120, and
3 180 days of the minor's referral, or at any other time
4 requested by a regional superintendent or the Office of Chronic
5 Truant Adjudication, which reports each shall certify the date
6 of the minor's referral and the extent of the minor's progress
7 and participation in truancy intervention services provided by
8 the comprehensive community based youth service agency. In
9 addition, if after referral by the regional superintendent or
10 the Office of Chronic Truant Adjudication, the minor declines
11 or refuses to fully participate in truancy intervention
12 services provided by the comprehensive community based youth
13 service agency, then the agency shall immediately certify such
14 facts to the regional superintendent or the Office of Chronic
15 Truant Adjudication.

16 (a-1) There is a rebuttable presumption that a chronic
17 truant is a truant minor in need of supervision.

18 (a-2) There is a rebuttable presumption that school records
19 of a minor's attendance at school are authentic.

20 (a-3) For purposes of this Section, "chronic truant" means
21 a minor subject to compulsory school attendance and who is
22 absent without valid cause from such attendance for 10% or more
23 of the previous 180 regular attendance days, and has the
24 meaning ascribed to it in Section 26-2a of the School Code.

25 (a-4) For purposes of this Section, "truancy intervention
26 services" means services provided by a comprehensive community
27 based youth service agency that are designed to assist the
28 minor's return to an educational program, and includes
29 assessments, counseling, mental health services, shelter,
30 tutoring, and educational advocacy.

31 (b) Kinds of dispositional orders. A minor adjudicated
32 ~~found to be~~ a truant minor in need of supervision may be:

33 (1) committed to the appropriate regional
34 superintendent of schools for a multi-disciplinary case

1 staffing, individualized educational plan or service plan,
2 or referral to comprehensive community-based youth
3 services;

4 (2) required to comply with an individualized
5 educational plan or service plan as specifically provided
6 by the appropriate regional superintendent of schools;

7 (3) ordered to obtain counseling or other supportive
8 services;

9 (4) subject to a fine in an amount in excess of \$5, but
10 not exceeding \$100, and each day of absence without valid
11 cause as defined in Section 26-2a of The School Code is a
12 separate offense;

13 (5) required to perform some reasonable public service
14 work such as, but not limited to, the picking up of litter
15 in public parks or along public highways or the maintenance
16 of public facilities; or

17 (6) subject to having his or her driver's license or
18 driving privilege suspended for a period of time as
19 determined by the court but only until he or she attains 18
20 years of age.

21 A dispositional order may include a fine, public service,
22 or suspension of a driver's license or privilege only if the
23 court has made an express written finding that a truancy
24 prevention program has been offered by the school, regional
25 superintendent of schools, or a comprehensive community based
26 youth social service agency to the truant minor in need of
27 supervision.

28 (c) Orders entered under this Section may be enforced by
29 contempt proceedings.

30 (Source: P.A. 90-143, eff. 7-23-97; 90-380, eff. 8-14-97;
31 90-590, eff. 1-1-99; 90-655, eff. 7-30-98.)".